

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ALLIANCE OPHTHALMOLOGY, PLLC;
DALLAS RETINA CENTER, PLLC;
TEXAS EYE AND CATARACT, PLLC;
AND HOFACRE OPTOMETRIC
CORPORATION, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

ECL GROUP, LLC; ECL HOLDINGS,
LLC; EYE CARE LEADERS HOLDINGS,
LLC; EYE CARE LEADERS
PORTFOLIO HOLDINGS, LLC;
INTEGRITY EMR, LLC; INTEGRITY
EMR HOLDINGS, LLC; ALTA BILLING,
LLC; AND ALTA BILLING HOLDINGS,
LLC,

1:22-CV-00296-LCB-JLW

Defendants.

KIMBERLY FARLEY, CHAD
FORRESTER, AND KIMBERLY
SANDVIG, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

EYE CARE LEADERS HOLDINGS, LLC,

Defendant.

1:22-CV-00468-CCE-JLW

JOINT MOTION FOR PRELIMINARY CERTIFICATION OF SETTLEMENT CLASS AND PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

Pursuant to Rule 23 of the Federal Rules of Civil Procedure and LR 7.3, the parties move the Court to:

- preliminarily certify the Physician Settlement Class and Patient Settlement Class as Rule 23(b)(1)(B) classes;
- preliminarily approve the Class Action Settlement Agreement;
- approve the appointment of Settlement Class Counsel for the Patient Settlement Class and Physician Settlement Class, and named Plaintiffs as Representative Plaintiffs;
- approve the appointment of the Settlement Administrator as identified to carry out all of the functions set forth herein and in the Settlement;
- compel Defendants to produce the names and contact information of members of the Patient Settlement Class to the Settlement Administrator for the limited purpose of providing notice of the Settlement and verifying claims related to the Settlement; and,
- set a deadline for submission of a Notice Plan to be approved by the Court; and
- schedule a fairness hearing.

The grounds for this Motion are set forth in the Memorandum in Support of this Motion and exhibits thereto, which is being filed contemporaneously with this Motion and is hereby incorporated by reference.

WHEREFORE, the parties respectfully request that the Court grant this Motion.

This the 28th day of July, 2023,

/s/ Matthew F. Tilley

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situated*